DATE: March 19, 2003

TO: School Food Authority Administrators

FROM: Christine Emerson, Director
               School Nutrition Programs

SUBJECT: Guidance for Provision 2 and 3 Schools on the No Child Left Behind Act

The National School Lunch Act offers alternatives to the traditional requirements for annual collection of free and reduced-price meal applications. These alternatives are called "Provision 2" and "Provision 3." Schools that offer students lunches at no charge are eligible to participate in Provision 2 or 3. These schools do not collect applications for free and reduced-price meals on an annual basis. Rather, they certify students as eligible for free and reduced-price lunches only once every four years, and longer under certain conditions.

The school lunch regulations prohibit schools that participate in Provision 2 or 3 from collecting eligibility data and certifying students on an annual basis for other purposes. With regards to complying with annual Title I requirements, this prohibition has raised the following questions:

- How can provision schools obtain the information they need to disaggregate Title I assessment data?

- How can provision schools identify students as eligible for supplemental educational services?

- How can provision schools determine which students receive priority for public school choice?

Answers:

All students in Provision 2 and 3 schools may be classified as economically disadvantaged. Additionally, when determining Title I eligibility and allocations for a Provision 2 or 3 school, local education officials may assume that the school has the same percentage of students eligible for free and reduced-price lunches as it had during the base year, which is the most recent year for which the school collected that information.

Please call Holly Humphrey, School Nutrition Programs Specialist, (406) 444-4413, if you have questions.

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